

Remarks

Reconsideration of this Application is respectfully requested.

Applicants respectfully request admission of the foregoing amendment to place the application in condition for allowance by traversing the rejections under 35 U.S.C. §§ 102 and 103.

Upon entry of the foregoing amendment, claims 1-20 are pending in the application, with claims 1, 9, and 15 being the independent claims. Claims 1, 9, and 15 are sought to be amended.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Rejections Under 35 U.S.C. § 102

The Office Action, at page two, rejected claims 1, 2, 5, 6, 7, 9, 10, 13, 15, 16, and 19 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0004780 to Smith *et al.* (hereinafter "Smith"). Applicants respectfully traverse these rejections.

Amended independent claim 1 recites (emphasis added):

A system for forecasting weather-based demand, comprising:
a recombination processor;
wherein:
said recombination processor is configured to receive weather metric
data;

said recombination processor is configured to receive a weather factor relationship knowledgebase, ***wherein the weather factor relationship knowledgebase is different from the weather metric data***; and
said recombination processor is configured to produce normalized weather factor metric data.

Each of independent claims 9 and 15 has been amended in a similar manner.

The Office Action, at page three, contends (emphasis added) that Smith:

shows a system for forecasting weather-based demand, comprising: a recombination processor;
wherein: said recombination processor is configured to ***receive weather metric data*** ("The weather module 103 sends weather requests 209 to the weather information provider. ("Weather information provider 105 translates meteorological data into ***variables 201*** that may be used in the weather module 103." Smith (US 2003/004780 A1 ¶ [0029]);
said recombination processor is configured to ***receive a weather factor relationship knowledgebase*** ("Weather information provider 105 translates meteorological data into ***variables 201*** that may be used in the weather module 103." Smith (US 2003/004780 A1 ¶ [0029]); and
said recombination processor is configured to produce normalized weather factor metric data ("With respect to data provided by weather information provider 105a and 105b, certain information may be used by weather module 103a and 103b and/or enterprise system 101a and 101b in order to provide specific analysis. Relevant meteorological information should be on a time and geographic scale commensurate with the decision maker's (user's) needs." Smith (US 2003/004780 A1 ¶ [0035])

Furthermore, the Office Action, at page sixteen, noted that "Applicant [in the Amendment and Reply Under 37 C.F.R. § 1.111 filed April 3, 2008] argues that 'Smith does not disclose, teach or suggest receiving, at a processor, weather metrics data.'" However, the Office Action contends (emphasis added) that Smith:

clearly shows weather information provider (105) sending weather variable information (201) to the weather module (103). Smith (US 2003/004780 A1) further recites "FIG. 2 shows a data flow diagram for data sent and received within the above-described architecture. Weather information provider 105 translates meteorological data into ***variables 201*** that may be used in the weather module 103." (Smith 2003/004780 A1 ¶ [0029])

The Examiner appears to equate variables 201 of Smith with both *weather metric data* and a *weather factor relationship knowledgebase*. Therefore, Smith does not disclose, teach, or suggest that the weather factor relationship knowledgebase is different from the weather metric data.

Thus, each of amended independent claims 1, 9, and 15 is not anticipated by Smith. Each of claims 2, 5, 6, 7, 10, 13, 16, and 19 is also not anticipated by Smith because each of these claims depends upon claims 1, 9, or 15 and because of the additional distinctive features of each of claims 2, 5, 6, 7, 10, 13, 16, and 19.

Accordingly, Applicants respectfully request that the Examiner reconsider claims 1, 2, 5, 6, 7, 9, 10, 13, 15, 16, and 19, remove the rejections of these claims under 35 U.S.C. § 102(e), and pass these claims to allowance.

Rejections Under 35 U.S.C. § 103

The Office Action, at page nine, rejected claims 3, 4, 8, 11, 12, 14, 17, 18, and 20 under 35 U.S.C. § 103(a) as being unpatentable over Smith in view of U.S. Patent No. 6,473,084 to Phillips *et al.* (hereinafter "Phillips"). Applicants respectfully traverse these rejections.

Each of claims 3, 4, 8, 11, 12, 14, 17, 18, and 20 depends upon claims 1, 9, or 15. As stated above, each of claims 1, 9, and 15 is patentable over Smith because Smith does not disclose, teach or suggest that the weather factor relationship knowledgebase is different from the weather metric data. Phillips does not overcome this deficiency. Therefore, each of

claims 1, 9, and 15 is patentable over Smith in view of Phillips. Each of claims 3, 4, 8, 11, 12, 14, 17, 18, and 20 is also patentable over Smith in view of Phillips because each of these claims depends upon claims 1, 9, or 15 and because of the additional distinctive features of each of claims 3, 4, 8, 11, 12, 14, 17, 18, and 20. Applicants respectfully request that the Examiner reconsider claims 3, 4, 8, 11, 12, 14, 17, 18, and 20, remove the rejections of these claims under 35 U.S.C. § 103(a), and pass these claims to allowance.

Conclusion

All of the stated grounds of rejection have been properly traversed. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

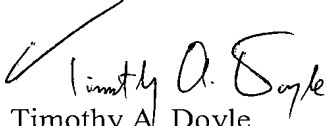
Amendment dated August 27, 2008 - 11 -
Reply to Final Office Action of July 22, 2008

Willen *et al.*
Appl. No. 10/705,758

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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